

# UTILITY PATENT APPLICATION TRANSMITTAL (Small Entity)

*(Only for new nonprovisional applications under 37 CFR 1.53(b))*

Docket No.  
31507

Total Pages in this Submission  
4

**TO THE ASSISTANT COMMISSIONER FOR PATENTS**

Box Patent Application  
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for invention entitled:

**COMPUTER PROGRAM, METHOD, AND SYSTEM FOR MONITORING NUTRITION CONTENT OF CONSUMABLES AND FOR FACILITATING MENU PLANNING**

and invented by:

**JOSEPH J. BISOGNO**

If a CONTINUATION APPLICATION, check appropriate box and supply the requisite information:

Continuation     Divisional     Continuation-in-part (CIP)    of prior application No.: \_\_\_\_\_

Which is a

Continuation     Divisional     Continuation-in-part (CIP)    of prior application No.: \_\_\_\_\_

Which is a

Continuation     Divisional     Continuation-in-part (CIP)    of prior application No.: \_\_\_\_\_

Enclosed are:

**Application Elements**

1.  Filing fee as calculated and transmitted as described below
2.  Specification having 26 pages and including the following:
  - a.  Descriptive Title of the Invention
  - b.  Cross References to Related Applications (*if applicable*)
  - c.  Statement Regarding Federally-sponsored Research/Development (*if applicable*)
  - d.  Reference to Microfiche Appendix (*if applicable*)
  - e.  Background of the Invention
  - f.  Brief Summary of the Invention
  - g.  Brief Description of the Drawings (*if drawings filed*)
  - h.  Detailed Description
  - i.  Claim(s) as Classified Below
  - j.  Abstract of the Disclosure

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## Application Elements (Continued)

3.  Drawing(s) (*when necessary as prescribed by 35 USC 113*)  
a.  Formal      b.  Informal      Number of Sheets \_\_\_\_\_ 4 \_\_\_\_\_
4.  Oath or Declaration  
a.  Newly executed (*original or copy*)       Unexecuted  
b.  Copy from a prior application (37 CFR 1.63(d)) (*for continuation/divisional application only*)  
c.  With Power of Attorney       Without Power of Attorney  
d.  **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application,  
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5.  Incorporation By Reference (*usable if Box 4b is checked*)  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under  
Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby  
incorporated by reference therein.
6.  Computer Program in Microfiche  
 Genetic Sequence Submission (*if applicable, all must be included*)  
a.  Paper Copy  
b.  Computer Readable Copy  
c.  Statement Verifying Identical Paper and Computer Readable Copy

## Accompanying Application Parts

8.  Assignment Papers (*cover sheet & documents*)  
9.  37 CFR 3.73(b) Statement (*when there is an assignee*)  
10.  English Translation Document (*if applicable*)  
11.  Information Disclosure Statement/PTO-1449       Copies of IDS Citations  
12.  Preliminary Amendment  
13.  Acknowledgment postcard  
14.  Certificate of Mailing  
 First Class     Express Mail (*Specify Label No.*): EL822214574US

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(Small Entity)**

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**Accompanying Application Parts (Continued)**

15.  Certified Copy of Priority Document(s) (*if foreign priority is claimed*)
16.  Small Entity Statement(s) - Specify Number of Statements Submitted: Applicant is Small Entity
17.  Additional Enclosures (*please identify below*):

Two CD-Rs labeled Copy 1 and Copy 2 each containing an identical copy of a computer program listing appendix; Transmittal Letter for CD-Rs

**Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)**

18.  Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

**Warning**

**An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.**

1623651-06310

**UTILITY PATENT APPLICATION TRANSMITTAL**  
**(Small Entity)**

*(Only for new nonprovisional applications under 37 CFR 1.53(b))*

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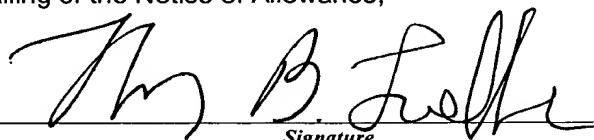
**Fee Calculation and Transmittal**

**CLAIMS AS FILED**

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	45	- 20 =	25	x \$9.00	\$225.00
Indep. Claims	6	- 3 =	3	x \$40.00	\$120.00
Multiple Dependent Claims (check if applicable)	<input type="checkbox"/>				
					\$0.00
					<b>BASIC FEE</b> \$355.00
OTHER FEE (specify purpose) _____					\$0.00
					<b>TOTAL FILING FEE</b> \$700.00

- A check in the amount of \$700.00 to cover the filing fee is enclosed.
- The Commissioner is hereby authorized to charge and credit Deposit Account No. 19-0522 as described below. A duplicate copy of this sheet is enclosed.
- Charge the amount of \_\_\_\_\_ as filing fee.
- Credit any overpayment.
- Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
- Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated: June 11, 2001

  
\_\_\_\_\_  
Signature

By: Thomas B. Luebbering, Reg. No. 37,874



23589

PATENT TRADEMARK OFFICE

CC:

jc62 U.S. PTO  
06/11/01

06-12-01

J  
CD-ROM

CERTIFICATION UNDER 37 C.F.R. 1.10

Enclosed for filing is the application for United States Letters Patent of JOSEPH J. BISOGNO, Attorney Docket No. 31507, entitled COMPUTER PROGRAM, METHOD, AND SYSTEM FOR MONITORING NUTRITIONAL CONTENT OF CONSUMABLES AND FOR FACILITATING MENU PLANNING, including: **Transmittal, Specification, Claims, Abstract, 4 sheets drawings, Transmittal Letter for CD-Rs; Two CD-Rs Labeled Copy 1 and Copy 2, Each Containing and Identical Copy of a Computer Program Listing Appendix; Combined Declaration and Power of Attorney, \$700.00 filing fee, Information Disclosure Statement and Supporting References, and return card.**

EL822214574US

"Express Mail" mailing number

June 11, 2001

Date of Deposit

I hereby certify that the above-noted papers are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to BOX NEW APPLICATION, Assistant Commissioner for Patents, Washington, DC 20231.

Penelope Kress  
Name of person mailing

Penelope Kress  
Signature of person mailing

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: BISOGNO, JOSEPH J. ) Docket No.: 31507  
Serial No.: ) Group Art Unit No.:  
Filed: ) Examiner:  
COMPUTER PROGRAM, METHOD, AND )  
SYSTEM FOR MONITORING NUTRITIONAL )  
CONTENT OF CONSUMABLES AND FOR )  
FACILITATING MENU PLANNING )

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Assistant Commissioner of Patents  
Washington, D.C. 20231

TRANSMITTAL LETTER

Transmitted herewith are two CD-Rs ("compact disks-write once") labeled and hereafter referred to as Copy 1 and Copy 2.

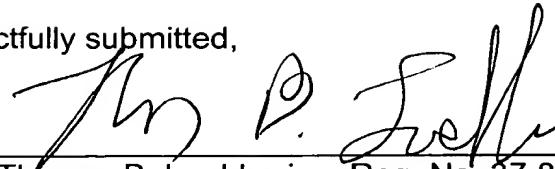
Copy 1 and Copy 2 each contain an identical copy of a computer program listing appendix associated with and incorporated by reference into the above-identified non-provisional utility application. The machine format of each CD-R is IBM-PC; and the operating system compatibility is MS-Windows.

Copy 1 and Copy 2 each contain identical copies of the following ASCII files:

Date of Creation	Size (Bytes)	Filename
06/03/98 12:21p	556	ABOUTF_6.CPP
08/06/98 04:47p	552	CONFDEL.CPP
08/06/98 01:19p	577	CONSUME.CPP
08/05/98 11:48p	1,291	DAILYREP.CPP
01/08/01 10:01p	740	FOODDIAL.CPP
01/23/01 10:36p	5,070	HINTS.CPP
08/06/98 04:47p	1,691	JOEBELLY.CPP
02/06/01 10:29p	51,821	MAIN.CPP
06/16/98 12:31a	533	NEWPERS.CPP
06/16/98 12:28a	1,441	PERSELCT.CPP
08/06/98 12:13a	552	PRNTPARM.CPP

Respectfully submitted,

By

  
Thomas B. Luebbering, Reg. No. 37,874  
2405 Grand Boulevard, Suite 400  
Kansas City MO 64108  
(816) 474-9050

ATTORNEY FOR APPLICANT(S)

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